

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GORDON H. WHITE,)	
)	8:05CV501
Plaintiff,)	
)	AMENDED ORDER
v.)	SETTING FINAL SCHEDULE
)	FOR PROGRESSION OF CASE
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

Following a conference with counsel on May 1, 2007, the joint motion for an extension of time (Filing No. 29) is granted in part and denied in part as set forth below.

IT IS ORDERED:

1. **Deposition Deadline.** All depositions, whether or not they are intended to be used at trial, shall be completed by **July 13, 2007**.

2. **Pretrial Disclosures.** Pursuant to Fed. R. Civ. P. 26(a)(3), each party shall serve opposing counsel and file a redacted version as applicable with the following information regarding the evidence it may present at trial other than solely for impeachment purposes as soon as practicable **but not later than the date specified:**

a. **Nonexpert Witnesses - On or before June 6, 2007:** The name, address and telephone number¹ of each witness, separately identifying those whom the party expects to present and those whom the party may call if the need arises.

b. **Deposition Testimony and Discovery** - In accordance with NEGenR 1.1(c), unless otherwise ordered, the requirement of NECivR 16.2(a)(2)(F), of designating discovery intended to be utilized at trial, is

¹ In accordance with the E-Government Act, counsel shall, on witness lists, exhibits, and other disclosures and/or documents filed with the court, redact social security numbers, home addresses, phone numbers, and other personally identifying information of witnesses, but shall serve an unredacted version on opposing parties

suspended for this case; motions to require such designations may be filed not later than fifteen days prior to the deposition deadline.

c. Trial Exhibits - On or before July 20, 2007: A list of all exhibits it expects to offer by providing a numbered listing and permitting examination of such exhibits, designating on the list those exhibits it may offer only if the need arises.

Waiver of Objections: Any and all objections to the use of the witnesses, deposition testimony, discovery responses, or exhibits disclosed pursuant to the above subparagraphs, including any objection pursuant to Fed. R. Civ. P. 32(a) that a deponent is available to testify at the trial shall be made a part of the pretrial order. Failure to list objections (except those under Fed. R. Evid. 402 and 403) is a waiver of such objections, unless excused by the court for good cause shown.

3. **Motions in Limine.** Any motions *in limine* shall be filed on or before **July 26, 2007**.

4. **The Final Pretrial Conference** with the undersigned magistrate judge **remains set for July 27, 2007, at 10:00 a.m.** in chambers, Suite 2271, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

5. **Trial remains set to commence**, at the court's call, during the week of **August 20, 2007**, in Omaha, Nebraska, before the Honorable Joseph F. Bataillon.

6. **Motions to alter dates.** All requests for changes of deadlines or settings established herein shall be directed to the magistrate judge by appropriate motion, including all requests for changes of trial dates. Such motions shall not be considered in the absence of a showing by counsel of due diligence in the timely development of this case for trial and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 1st day of May, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge